
Subpoenas and Civil Papers for Inmates

709.1 POLICY

The Watch Commander shall ensure that subpoenas received at this facility for service on inmates shall be processed in a timely and reasonable basis.

The Watch Commander shall also ensure that appearance dates are appropriately noted on the inmates' records and that service certification is completed for return.

Subpoena service may be accomplished by employees of this Department, outside law enforcement officers, or others as directed and cleared by the Watch Commander.

All civil process is to be served by the Sheriff's Office Civil Unit, unless within the guidelines of the section entitled *Service by Outside Persons*, listed below.

The Watch Commander shall ensure that no civil process is served by employees of this Department.

709.2 DEFINITIONS

CIVIL PROCESS - Any legal papers of a non-criminal nature requiring service.

PROCESS SERVER - Any person bringing legal papers to the facility for service.

SUBPOENA - A legal order of a competent court to appear and testify.

709.3 SERVICE BY OUTSIDE PERSONS

All process servers, whether private servers or outside law enforcement officers, shall check in with Reception.

The server shall then be referred to the on-duty Watch Commander for clearance and any reasonably indicated action.

Departmental personnel, where possible and reasonable, shall refrain from any or all portions of the actual service by an outside agency or person.

Participation may make the Department or individual liable for damages suffered by the person served.

Good security procedures, such as a Deputy or Correctional Officer standing by, or a search subsequent to contact by the outside agency or person, shall be the responsibility of all involved personnel, including the Watch Commander.

709.4 SERVICE BY EMPLOYEES OF THIS DEPARTMENT

709.4.1 CRIMINAL

Criminal subpoenas will be served by sworn personnel.

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The officer serving a criminal subpoena will complete the proof of service section on the rear of that document.

All completed subpoenas will be returned to the Records Unit for further processing.

709.4.2 CIVIL

No civil process will be served by members of this Department.